

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 477 of 2007()

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C.C. NO. 15/07 OF J.F.C.M., MAVELIKKARA

PETITIONER/IST ACCUSED  
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SHERIN JOHN, KIZHEKKEDATH  
(MANALIL THARAYIL), RAMANCHIRA,  
THIRUVALLA.

BY ADV. SRI.P.HARIDAS

RESPONDENTS: STATE/COMPLAINANT  
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1. STATE OF KERALA, REPRESENTED BY  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE,  
MAVELIKKARA POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 477 of 2007

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Dated, this the 25th day of January 2007

O R D E R

Petitioner who is the first accused in C.C. 15/07 on the file of the Judl. First Class Magistrate, Mavelikkara for an offence punishable under Sec. 420 read with Sec. 34 I.P.C. and Sec. 3 and 8 of Dowry Prohibition Act, seeks his enlargement on bail.

2. The case arose out of a private complaint alleging that the petitioner resiled from the promise to marry the complainant demanding more dowry and gold ornaments.

3. At the instance of the complainant, it was represented to the learned Magistrate that since the petitioner who has come on leave from U.S.A. where he is employed was about to go abroad, non-bailable warrant of arrest was issued against him in lieu of summons under Sec. 87 Cr.P.C. The petitioner was arrested on 16-01-2007 and produced before the Magistrate. His application for bail was rejected and he was remanded to judicial custody on the same day.

4. After hearing the counsel for the petitioner and perusing the report of the Magistrate, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mavelikkaara who shall impose appropriate conditions including one to ensure the presence of the accused for the trial of the case. It is made clear that the Magistrate shall not impose such conditions as would disable the petitioner to go back to his place of employment in U.S.A.

This application is allowed accordingly.

V. RAMKUMAR, (JUDGE)

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